

Town of Throop  
March 15<sup>th</sup> 2023  
Town Board Meeting

Members Present:

Supervisor Ridley  
Councilman McNabb  
Councilman Ryan  
Councilman Thurston

Absent:

Councilman Paczkowski

Other Town Officials Present:

Attorney Chirco  
Town Clerk Kathy Magill  
Code and Zoning Officer Jay Moose  
Deputy Code Officer Joe Donofrio  
Rec Director Molly Sierzenga

The meeting was called to order at 7:02 pm. The minutes for the February 15<sup>th</sup> 2023 Town Board Meeting were reviewed for omissions or errors. Councilman McNabb made a motion to accept the minutes, Councilman Ryan seconded the motion. The motion passed unanimously.

Next Board meeting 04/19/2023

The next Zoning Commission meeting is March 27<sup>th</sup>.

The following reports were read:

Clerks Report  
Highway Report  
Codes and Zoning  
Recreation

Jay Moose discussed the annual Census Report.

Molly Sierzenga spoke about the several activities of the Rec program.

**Public Comment**

Mike Butler asked when his property on Turnpike Road was removed from the County Agricultural district. He also asked what restrictive covenants exist on his property. Mr. Butler stated in his opinion, it looked like spot zoning. There was a discussion about differences in the local Zoning ordinance and County use maps.

Councilman Ryan stated Kari Terwilliger said at the Zoning Commission meeting held the previous night, a homeowner can opt out or in every 8 years by providing a letter to the County Planning Board.

Supervisor Ridley stated he recently reviewed the survey responses that were sent out by Cayuga County, for the purpose of collecting an overall census of what the Town residents wanted for the future of the Town. He said comparatively; the Comprehensive plan followed very closely to what the residents stated they wanted. He was very happy with the Comprehensive plan and is equally hopeful the Zoning Commission will also work to provide the residents with the same guidelines and understanding.

#### **New Business**

The options for the proposed playground for Sawyer Park were reviewed by the Town Board as well as the public. After a brief discussion, Councilman Thurston made a motion to approve the purchase of proposed playground option #2 for Sawyer Park.

Councilman Ryan seconded the motion. The motion passed unanimously.

The Town Board discussed updating the Bulk water distribution box located behind the Town Hall.

Supervisor Ridley stated he received a request from Jim Baran, Commissioner to the Throop Fire District, to ask the Town Board to pay for their Workers compensation insurance. Mike Butler took exception to the ask, stating they just purchased brand new trucks and the 2 Fire Chiefs that drive those vehicles don't even live in the Town of Throop. He said one of the trucks is always parked at the Auburn Prison where one of the Fire chiefs works. He further stated there is mismanagement of money going on, if they can't even pay their Workman's Comp. Supervisor Ridley stated If the Town Board voted to pay the insurance payment for the district, it would free up \$6200.00 for them to purchase lifesaving equipment for the firemen. Mr. Butler disagreed with the idea of paying the compensation claim, saying if you do it once, they will expect it next year and the year after. The Fire District already has the Workers Comp added to their Budget and has already collected taxes to pay that in full.

Councilman Ryan said he would like to see the Budget for the Fire dept.

Supervisor Ridley stated he had been at meetings where the fire department had to opt out of getting a truck fixed or inspected due to financial constraints. He went on to say he told them to pay the Insurance and if the Board agrees to pay it, they can invoice the Town for the payment.

Councilman Thurston agreed with Mike Butler stating he doesn't believe they should just hand out money because they asked for it. He would also like to review the budget and find out what they are spending their money on before he considers paying that bill.

Supervisor Ridley made a motion to purchase the AED previously approved by the Town Board, from cardiac life in the amount of \$1700.00, Councilman McNabb seconded the motion. The motion passed unanimously.

The Board was presented with 2 options for a playground for Sawyer Park.

Councilman Thurston made a motion to approve the purchase of playground option 2 in the amount of \$146,039.19 for Sawyer Park.

Councilman Ryan seconded the motion. The motion passed unanimously.

Supervisor Ridley presented the following Intermunicipal Agreement between Cayuga County Planning Board and Town of Throop;

This agreement (the "Agreement") is hereby made to be effective as of the \_\_\_\_ day of \_\_\_\_\_ 2023 by and between the **Cayuga County Planning Board** and the **Town of Throop**.

WHEREAS, Sections 239-m and 239-n of the General Municipal Law of the State of New York requires certain local land use issues being reviewed under local zoning, site plan, and/or subdivision regulations to be referred to the county planning agency for review and comment on aspects thereof that are of countywide or intermunicipal significance, and

WHEREAS, many of the issues impacted by this referral requirement have been found to typically not involve countywide or intermunicipal issues, and

WHEREAS, Sections 239-m and 239-n of the General Municipal Law was amended in 1993 to permit county planning boards and local governments to enter into agreements to exempt actions that typically do not raise such issues, and

WHEREAS, at its meeting of June 7, 2000 the Cayuga County Planning Board approved the exemption of actions with the following characteristics, unless the locality chooses to refer such a matter:

- 1) Activities that, while within 500 feet of a state or county highway, are on a parcel that does not front on that state or county highway;
- 2) Activities that, while within 500 feet of a municipal boundary, would be permitted within the area of the adjoining municipality abutting the parcel where the activity is proposed;
- 3) Area variances
- 4) Amendments to a local zoning law or ordinance that are intended to clarify, redefine, expand, or modify words and/or terms that do not alter the dimensional or use standards of the regulation;
- 5) Amendments to a local zoning law or ordinance that are intended to address procedural or administrative matters that do not alter the dimensional or use standards of the regulation;
- 6) Amendments to a local zoning law or ordinance that are intended to reduce the type or number of uses permitted within a particular zoning district;
- 7) Amendments to a local zoning law or ordinance that are intended to reduce the intensity and/or density of development permitted within a particular zoning district;
- 8) Any subdivision of land not required to be submitted to the Cayuga County Health Department for review under the definition of a subdivision set forth in Section 1115 of the Public Health Law of the State of New York;
- 9) Any activity subject to review by a local agency employing a municipal planner on a full time basis who will advise the referring agency concerning the referred matter, now

THEREFORE, it is hereby agreed that such matters **shall** be exempt from the referral requirements of Sections 239-m and 239-n of the General Municipal Law.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives.


Councilman Ryan made a motion to accept the Intermunicipal Agreement. Councilman McNabb seconded the motion. The motion passed unanimously.

Supervisor Ridley made a motion to enter executive session at 8:05pm citing litigation. The motion was seconded by Councilman Ryan. The Board reconvened at 8:17pm.


Supervisor Ridley made a motion to pay the claims in the General Fund in the amount of \$8603.56, Highway in the amount of \$17,864.05, Water in the amount of \$6608.28 and the Water Extension in the amount of \$2464.12. Councilman Ryan seconded the motion. The motion passed unanimously.

With no further business at hand Supervisor Ridley made a motion to adjourn at 8:18pm. Councilman Ryan seconded the motion. The meeting was adjourned at 8:18pm.

Respectfully Submitted;

  
Kathy Magill  
Town Clerk

  
Eric Ridley

  
Paul Ryan

  
Tom McNabb

  
Ernie Thurston